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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

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MEETING DATE June 5, 2006	CONTACT/PHONE Nick Forester 781-1163	APPLICANT Norman Eggen	FILE NO. CO-02-0188 S010396P
<b>SUBJECT</b> Request by Norman Eggen for a Vesting Tentative Parcel map (CO-02-0188) to subdivide an existing 10.14 acre parcel into four parcels consisting of three parcels of approximately 2.5 acres each and one parcel of 2.62 acres for the purpose of sale and/or development. The project includes off-site road improvements to Walnut and Poplar Avenues. The proposed project is within the Residential Suburban land use category and is located at the southern corner of the intersection of Walnut Avenue and Poplar Avenue in the community of Garden Farms. The site is in the Salinas River planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO-02-0188 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and the CA Code of Regulations Section 15000 et seq.) has been issued on February 28, 2006 for this project. Mitigation measures are proposed to address geology and soils, hazards/hazardous materials, public services/utilities and recreation.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 070-121-006	SUPERVISOR DISTRICT(S) 5
<b>PLANNING AREA STANDARDS:</b> None applicable to this project.			
<b>LAND USE ORDINANCE STANDARDS:</b> L.U.O. section 22.22.070- Subdivision Design-Residential Suburban category.			
<b>EXISTING USES:</b> The site is vacant except for an accessory structure (garage) located on proposed parcel 3.			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Suburban/Residential use <i>East:</i> Residential Suburban/Residential use <i>South:</i> Rural Lands/Residential use <i>West:</i> Rural Lands/Residential use			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Santa Margarita Advisory Council, Public Works, Environmental Health, County Parks, Santa Margarita Fire Department, CDF, Garden Farms County Water District, APCD.	
TOPOGRAPHY: Level	VEGETATION: Grasses, nonnative trees, abandoned berry farm
PROPOSED SERVICES: Water supply: On-site well for parcels 1,2 and 3. Garden Farms Community water for parcel 4 Sewage Disposal: Individual septic systems Fire Protection: CDF	ACCEPTANCE DATE: October 15, 2005

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 2.5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 0 and 15 %	2.5 acres
Water Supply and Sewage Disposal	On-site well/On-site septic (See discussion below)	2.5 acres

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

##### *Water service*

The applicant is proposing to use an on-site shared well for parcels 1,2 and 3 and to use Garden Farms Community water for parcel 4. The project was referred to the County Environmental Health Department and to CDF. Both of these agencies indicated that they do not favor subdivisions utilizing community water and wells and indicated that it was their preference that all parcels within the subdivision either obtain community water service or utilize

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onsite wells. The project has been conditioned such that all parcels within the subdivision either obtain community water service or utilize onsite wells.

**BACKGROUND:**

This map was previously approved as CO-86-318 on August 5, 1987. The map was not recorded and it expired.

**PLANNING AREA STANDARDS:**

None applicable to this project.

**COMBINING DESIGNATIONS:**

None.

**COMMUNITY ADVISORY GROUP COMMENTS:**

The project was reviewed by the Santa Margarita Advisory Council at the November, 2005 meeting. The Santa Margarita Advisory Council unanimously recommended approval of the project.

**AGENCY REVIEW:**

Public Works- Recommend approval with road improvements.

Environmental Health- Recommend approval with the condition that that all parcels within the subdivision either obtain community water service or utilize onsite wells.

County Parks - Recommend approval with Quimby fees and trail improvements.

Santa Margarita Volunteer Fire Department- No comments

Garden Farms Community Water District – Issued will serve letter for parcel 4. (Also see discussion under water impacts in the Negative Declaration)

APCD – No comments. Project is within village reserve line

CDF- Issued fire letter dated April 19, 2006 and recommends approval with the condition that that all parcels within the subdivision either obtain community water service or utilize onsite wells.

**LEGAL LOT STATUS:**

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Nick Forester,  
And reviewed by Kami Griffin, Supervising Planner

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**FINDINGS - EXHIBIT A**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and the CA Code of Regulations Section 15000 et seq.) has been issued on February 28, 2006 for this project. Mitigation measures are proposed to address geology and soils, hazards/hazardous materials, public services/utilities and recreation.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of allowed residential uses.
- F. The site is physically suitable for the proposed density of the development proposed because each proposed parcel can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project site does not have any sensitive species or habitats.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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**CONDITIONS - EXHIBIT B**

**CONDITIONS OF APPROVAL FOR EGGEN PARCEL MAP # CO 02-0188,  
COUNTY FILE # S010396**

**Approved Project**

1. Vesting Tentative Parcel map (CO-02-0188) to subdivide an existing 10.14 acre parcel into four parcels consisting of three parcels of approximately 2.5 acres each and one parcel of 2.62 acres for the purpose of sale and/or development. The project includes off-site road improvements to Walnut and Poplar Avenues.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - Walnut and Poplar Avenues widened to complete an A-1 (X) section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. For road widening purposes five feet along Walnut and Poplar Avenues, to be described as twenty five feet from the recorded centerline.
  - b. A twenty foot radius property line return at the intersection of Walnut and Poplar Avenues.
4. Prior to approval of the project's Final Map or improvement plans (Whichever occurs first), the Parks Division shall review and approve the proposed location of the trails along Poplar Avenue and Walnut Avenue. If the applicant cannot provide the required trail corridors within the road right of way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.

**Improvement Plans**

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Grading and erosion control plan for subdivision related improvement locations.
  - e. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - f. Trail plan, to be approved jointly with the Park Division.

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6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

#### **Drainage**

8. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

#### **Wastewater Disposal**

9. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

#### **Utilities**

10. Electric and telephone lines shall be installed underground
11. Cable T.V. conduits shall be installed in the street.
12. Gas lines shall be installed.

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### **Fire Protection**

13. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

### **Parks and Recreation (Quimby) Fees**

14. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Affordable Housing Fee**

15. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### **Additional Map Sheet**

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
  - b. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
    - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
    - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
  - c. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated April 19, 2006 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

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**Miscellaneous**

17. Prior to recordation of the map the applicant shall either:
  - a. Obtain can and will serve letters from the Garden Farms Community Water District for all proposed parcels within the proposed subdivision. If the subdivider chooses this option, this subdivision is also subject to the standard conditions approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full. (Exhibit C)
  - Or;
  - b. Provide additional information to Environmental Health Services to certify that an adequate and potable on site water supply exists for each parcel within the proposed subdivision. If the subdivider chooses this option, this subdivision is also subject to the standard conditions approval for all subdivisions using well and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full. (Exhibit D)
18. The garage on parcel 3 be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.
19. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
20. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.



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**Exhibit C**

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING COMMUNITY WATER AND SEPTIC TANKS**

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

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10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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Exhibit D

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
  - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
  - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
  - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

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7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (NF)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-209

DATE: March 30, 2006

PROJECT/ENTITLEMENT: Eggen Parcel Map S010396P

APPLICANT NAME: Norman Eggen

ADDRESS: 1800 Calle Joaquin San Luis Obispo, CA

CONTACT PERSON: Westland Engineering Inc.

Telephone: (805) 541-2394

**PROPOSED USES/INTENT:** Request by Norman Eggen for a Vesting Tentative Parcel map (CO-02-0188) to subdivide an existing 10.14 acre parcel into four parcels consisting of three parcels of approximately 2.5 acres each and one parcel of 2.62 acres for the purpose of sale and/or development. The project includes off-site road improvements to Walnut and Poplar Avenues. The proposed project is within the Residential Suburban land use category.

**LOCATION:** The project is located at the southern corner of the intersection of Walnut and Popular Avenues, adjacent to the community of Garden farms, in the Salinas River planning area

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** ..... 5 p.m. on April 13, 2006

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No.**

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

*Nick Forester*

3/21/06

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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California Department of Fish and Game  
**CERTIFICATE OF FEE EXEMPTION**  
De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Eggen Parcel Map

**Project Applicant**

Name: Norman Eggen  
Address: 1800 Calle Joaquin  
City, State, Zip Code: San Luis Obispo CA 93401  
Telephone #: (805) 541-2394

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination

**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

\_\_\_\_\_  
**Ellen Carroll**, Environmental Coordinator  
County of San Luis Obispo

Date: \_\_\_\_\_

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**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Eggen Parcel Map S010396P ED 05-209

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nick Forester  
Prepared by (Print)

NH Forester  
Signature

3/21/06  
Date

Jeff Oliveira  
Reviewed by (Print)

JE Oliveira  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

3/21/06  
Date

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**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Norman Eggen for a Vesting Tentative Parcel map (CO-02-0188) to subdivide an existing 10.14 acre parcel into four parcels consisting of three parcels of approximately 2.5 acres each and one parcel of 2.62 acres for the purpose of sale and/or development. The project includes off-site road improvements to Walnut and Poplar Avenues. The proposed project is within the Residential Suburban land use category and is located at the southern corner of the intersection of Walnut Avenue and Poplar Avenue in the village of Garden Farms. The site is in the Salinas River planning area.

ASSESSOR PARCEL NUMBER(S): 070-121-006

SUPERVISORIAL DISTRICT # 5

**B. EXISTING SETTING**

**PLANNING AREA:** Salinas River, Garden Farms village area

**LAND USE CATEGORY:** Residential Suburban

**COMBINING DESIGNATION(S):** None

**EXISTING USES:** Undeveloped

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Grasses, nonnative trees, abandoned berry farm

**PARCEL SIZE:** 10 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Suburban; residential	<i>East:</i> Residential Suburban; residential
<i>South:</i> Rural Lands; residential	<i>West:</i> Rural Lands; residential



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## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The proposed project site consists of a 10.14 -acre parcel located at the southern corner of the intersection of Walnut Avenue and Poplar Avenue (refer to Figures 1 through 3). One accessory structure currently exists on the northern portion of the parcel. The remainder of the project site is level and supports disturbed grassland, nonnative trees and an abandoned berry farm. The surrounding area is characterized by level topography vegetated with grassland and scattered oak woodland, developed with residences. The project site is not visible from any scenic highway and due to the flat topography there is no potential for ridge silhouetting of future residences as viewed from public roads.

**Impact.** The applicant is proposing to subdivide the project site into four parcels, approximately 2.5 acres each for the purpose of sale and/or development (refer to Figure 4). The project if approved could result in the future development of single-family residences, residential second units and accessory uses on each of the proposed parcels. Because of the existing level of residential development in the area and the flat topography, the project if approved would not significantly change the visual character of the area and no visual impacts are anticipated.

**Mitigation/Conclusion.** No significant visual impacts would occur as a result of the proposed parcel map, and no mitigation is required.

2.	AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The soil types include: Clear Lake clay, and still clay loam, (0 - 2% slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV", and the "irrigated" soil class is "I to II".

**Impact.** The project is located in a predominantly non-agricultural area. The project site has been historically used as a berry farm. The berry farm appears to have been abandoned for several years and no agricultural activities are occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

## 3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects,

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and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in no site disturbance. However, the project will create four legal lots with the potential for the construction of single family dwellings and accessory uses. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: Southwestern pond turtle (*Emys (=Clemmys) marmorata pallida*) app. 0.71 miles northwest, 0.73 miles south and 0.71 miles east. Pale big-eared bat (*Corynorhinus townsendii pallescens*) app. 0.5 miles south. California linderiella (*Linderiella occidentalis*) app. 0.43 miles east and 0.73 miles northeast. Western spadefoot toad (*Spea (=Scaphiopus) hammondi*) app. 0.43 miles east.

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Habitats: Blue Oak Forest (scattered <10%) app. 0.3 miles north, Blue oak woodland (Low 10 to 33%) app. 0.42 miles east of site. Vernal Habitat app. 0.24 miles north of site.

The project site has been historically used as a berry farm and the entire site has been disturbed for

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this historical agricultural use.

**Impact.** The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

## 5. CULTURAL RESOURCES -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Chumash and Southern Salinan. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** A Phase I surface survey was conducted (Thor Conway, November 20, 2001). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting/Impact.

**GEOLOGY** - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. Active faulting is known to exist on or near the subject property (app. 0.82 miles northeast). The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study Area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. There is no evidence that measures above what will already be required by ordinance or code are needed.

**DRAINAGE** - The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Santa Margarita Creek) from the proposed development is approximately 0.08 miles to the southeast. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly to moderately drained. Prior to future development on the subject property, the applicant will be required to prepare a drainage plan (per County Land Use Ordinance, Sec. 22.52.080) that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows. There is no evidence that measures above what will already be required by ordinance or code are needed.

**SEDIMENTATION AND EROSION** - The soil types include: Clear Lake clay, and still clay loam, (0 - 2% slope). As described in the NRCS Soil Survey, the soil surface is considered to have moderate

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erodibility and moderate to high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. Based on the discussion above, and compliance with standard requirements, impacts would be less than significant and no project-specific mitigation is necessary.

**Mitigation/Conclusion.** Based on the discussion above, and compliance with standard requirements, impacts would be less than significant and no project-specific mitigation is necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting/Impact.** The project is not located in an area of known hazardous material contamination. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The project is not within the Airport Review area. The project is within a High Fire Severity Zone within a State Responsibility Area for wildland fires. Prior to issuance of construction permits for lot development, the applicant is required to comply with local and state fire regulations, which include access road and driveway specifications, fire flow water supply, and fuel modification (100 feet surrounding all structures).

**Mitigation/Conclusion.** The applicant is required to comply with all fire safety rules, regulations, and standards of the California Fire Code and Public Resources Code. Based on the required compliance with applicable fire codes, no additional mitigation measures are necessary.

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8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**Setting/Impact.** Implementation of the proposed parcel map could result in the potential construction of three additional single-family residences and accessory uses south of the City of Atascadero. The future development would not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

**Mitigation/Conclusion.** In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the County. In addition, Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population/housing impacts were identified; therefore, no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Parkill station 40) is approximately 4.2 miles to the southeast. The closest Sheriff substation is in Templeton, which is approximately 12.32 miles north of the proposed project. The project is located in the Atascadero Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.



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# 11. RECREATION - Will the project:

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

a) *Increase the use or demand for parks or other recreation opportunities?*

☐
☒
☐
☐

b) *Affect the access to trails, parks or other recreation opportunities?*

☐
☒
☐
☐

c) *Other* \_\_\_\_\_

☐
☐
☐
☒

**Setting/Impact.** The County Trails Plan shows that the project site is located within the Salinas River Trail Corridor. The proposed parcel split and future occupation of four new single-family residences would contribute to the local and cumulative demand for recreational resources in the immediate area and San Luis Obispo County. The proposed project was referred to the County Parks Division for review. The Parks Division did request a trail easement (Jan DiLeo; June 6, 2005). The applicant is required to pay Quimby and Building Division fees to offset cumulative impacts.

**Mitigation/Conclusion.** The project has been conditioned to require the construction of a public access trail easement along the Poplar Avenue and Walnut Avenue street frontage. Cumulative impacts would be mitigated through the payment of required Quimby fees prior to map recordation. Quimby fees are used in lieu of dedication of land for park and recreational facilities to provide funds for maintenance of existing parks and acquisition of land. No additional measures are necessary.

# 12. TRANSPORTATION/ CIRCULATION - Will the project:

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

a) *Increase vehicle trips to local or areawide circulation system?*

☐
☐
☒
☐

b) *Reduce existing "Levels of Service" on public roadway(s)?*

☐
☐
☒
☐

c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*

☐
☐
☒
☐

d) *Provide for adequate emergency access?*

☐
☐
☒
☐

e) *Result in inadequate parking capacity?*

☐
☐
☒
☐

f) *Result in inadequate internal traffic circulation?*

☐
☐
☒
☐

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?*

☐
☐
☐
☒

9-26

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The proposed project site is located on the southern corner of Poplar Avenue and Walnut Avenue. Poplar Avenue and Walnut Avenue are two lane local roads providing access to scattered residential development on the west side of El Camino Real. Referrals were sent to Public Works. No significant traffic-related concerns were identified. Both roads are operating at acceptable levels of service.

**Impact.** The applicant proposes to subdivide one lot into four lots. If each proposed parcel is developed with a primary and secondary residence, the proposed project could generate a total of 80 trips per day, based on the Institute of Traffic Engineer's manual of 10 daily trips per residence. This small amount of additional traffic would not result in a significant change to the existing road service levels or traffic safety.

**Mitigation/Conclusion.** No significant transportation or circulation impacts were identified, and no mitigation measures are necessary.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation. These limitations are summarized as follows:

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

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**Impact.** The project proposes to use an on-site system as its means to dispose of wastewater. Based on the proposed project, adequate area appears available for an on-site system. The project was referred to the Garden Farms Community Water District. The Garden Farms Community Water District (See attached response dated July 5, 2005) responded that they had concerns that the project could result in potential contamination of a nearby district well due to high ground water and possible future septic tank locations.

**Mitigation/Conclusion.** The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met. Based on compliance with the Basin Plan, Building Code, and County Ordinance, and submittal of additional technical reports, potential wastewater impacts would be mitigated to less than significant.

14. WATER - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Setting.

The project proposes to use Garden Farms Community Water District to provide water to one of the proposed parcels. The project proposes to use an existing on-site shared well as its water source for the other three proposed parcel. The existing well is located near the center of the subject property and is located approximately 400 feet southwest of the Garden Farms Community Water District production well number one. The project was referred to the Garden Farms Community Water District on September 4, 2002. The Garden Farms Community Water responded (See attached response dated September 11, 2002) that the projects proposed use of a shared well could have an impact on water availability for the nearby district well. On October 1, 2002 the applicant was informed that an engineering report regarding water availability is required in order to assess potential environmental impacts. No activity occurred on the project until May of 2005 when the applicant's agent indicated that the applicant wished to continue processing of the application. Due to the amount of time that had

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passed, the application was again referred to the Garden Farms Community Water District. The Garden Farms Community Water responded again (See attached response dated July 15, 2005) that the projects proposed use of a shared well could have an impact on water availability for the nearby district well. The applicant was informed again that an engineering report regarding water availability would be required in order to assess potential environmental impacts.

On August 26, 2005 A groundwater availability study (Copy in file) was conducted by Cleath and Associates on the subject property. The study involved a 24 hour discharge pumping test of the Eggen well at a rate of twelve gallons per minute while monitoring levels in district well at hourly intervals. The study concluded that sustained pumping of the Eggen well did not appear to negatively influence the Garden Farms Community Water District production well number one. A copy of the A groundwater availability study was sent to the Garden Farms Community Water District. The Garden Farms Community Water District reviewed the report and responded that they no longer had concerns regarding the projects potential impacts to the district well (Telephone conversation with Garden Farms Community Water District board member Charron Sparks, September, 2005)

The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level. The closest creek (Santa Margarita Creek) from the proposed development is approximately 0.08 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

**Impact.** On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 4.72 acre feet/year (AFY)

*4 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 4 lots) = 4.72 afy*  
Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989) [SBWaterUsage.pdf](#)

Regarding surface water quality, the project does not propose any site disturbance. However, the project if approved would result in the creation of four legal lots that could be developed with primary and secondary residences. The project is not within close proximity to surface water sources. There is no evidence that the amount of site disturbance anticipated as a result of the project will result in a significant impact to surface water quality.

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

<b>15. LAND USE - Will the project:</b>	<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
---	---------------------	-------------------------------------	-------------------	---------------------------

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15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)**
- ☐ ☒ ☐ ☐
- c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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# **Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Community Service District	Attached
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

\*\* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Project File for the Subject Application  | <input type="checkbox"/> Area Plan and Update EIR   |
| <u>County documents</u>   | <input type="checkbox"/> Circulation Study  |
| <input type="checkbox"/> Airport Land Use Plans   | <u>Other documents</u>  |
| <input checked="" type="checkbox"/> Annual Resource Summary Report  | <input checked="" type="checkbox"/> Archaeological Resources Map                                      |
| <input type="checkbox"/> Building and Construction Ordinance  | <input checked="" type="checkbox"/> Area of Critical Concerns Map                                     |
| <input type="checkbox"/> Coastal Policies   | <input checked="" type="checkbox"/> Areas of Special Biological Importance Map                        |
| <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)   | <input checked="" type="checkbox"/> California Natural Species Diversity Database                     |
| <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: | <input checked="" type="checkbox"/> Clean Air Plan  |
| <input checked="" type="checkbox"/> Agriculture & Open Space Element  | <input checked="" type="checkbox"/> Fire Hazard Severity Map  |
| <input checked="" type="checkbox"/> Energy Element  | <input checked="" type="checkbox"/> Flood Hazard Maps   |
| <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)   | <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County |
| <input checked="" type="checkbox"/> Housing Element   | <input checked="" type="checkbox"/> Regional Transportation Plan                                      |
| <input checked="" type="checkbox"/> Noise Element   | <input checked="" type="checkbox"/> Uniform Fire Code   |
| <input type="checkbox"/> Parks & Recreation Element   | <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin - Region 3)       |
| <input checked="" type="checkbox"/> Safety Element  | <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)       |
| <input checked="" type="checkbox"/> Land Use Ordinance  | <input type="checkbox"/> Other _____  |
| <input type="checkbox"/> Real Property Division Ordinance   |   |
| <input checked="" type="checkbox"/> Trails Plan   |   |
| <input type="checkbox"/> Solid Waste Management Plan  |   |

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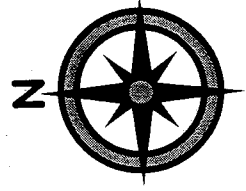
In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Archaeological report, Thor Conway, November 20, 2001.

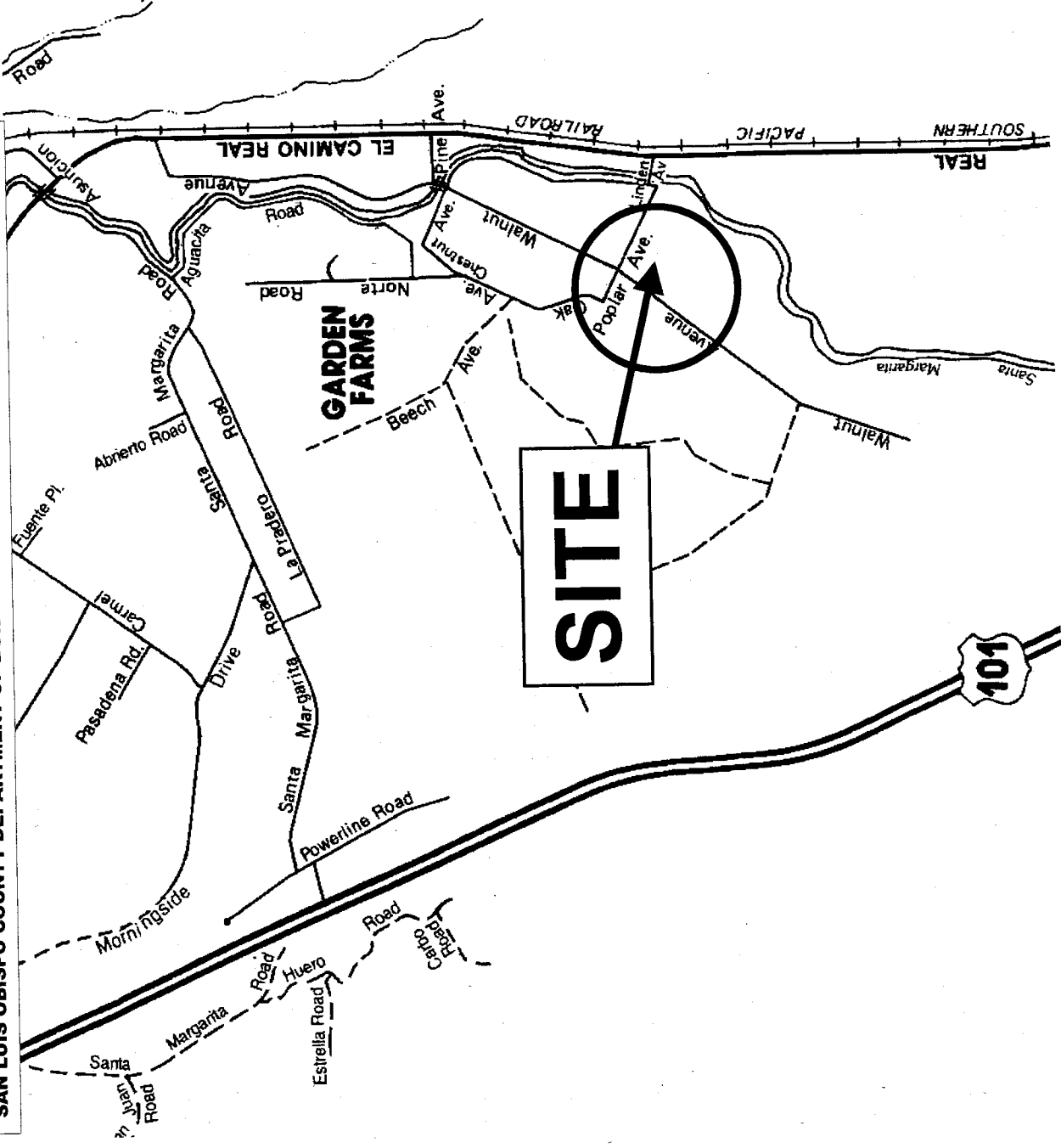
Ground Water Availability Study, Cleath & Associates, September 13, 2005.



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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



EXHIBIT

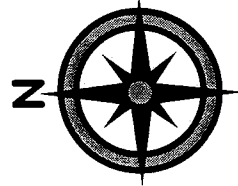
Santa Margarita Vicinity



PROJECT

Parcel Map CO020188  
Eggen S010396P

9-34



**SITE**

AGRICULTURE

**EXHIBIT**

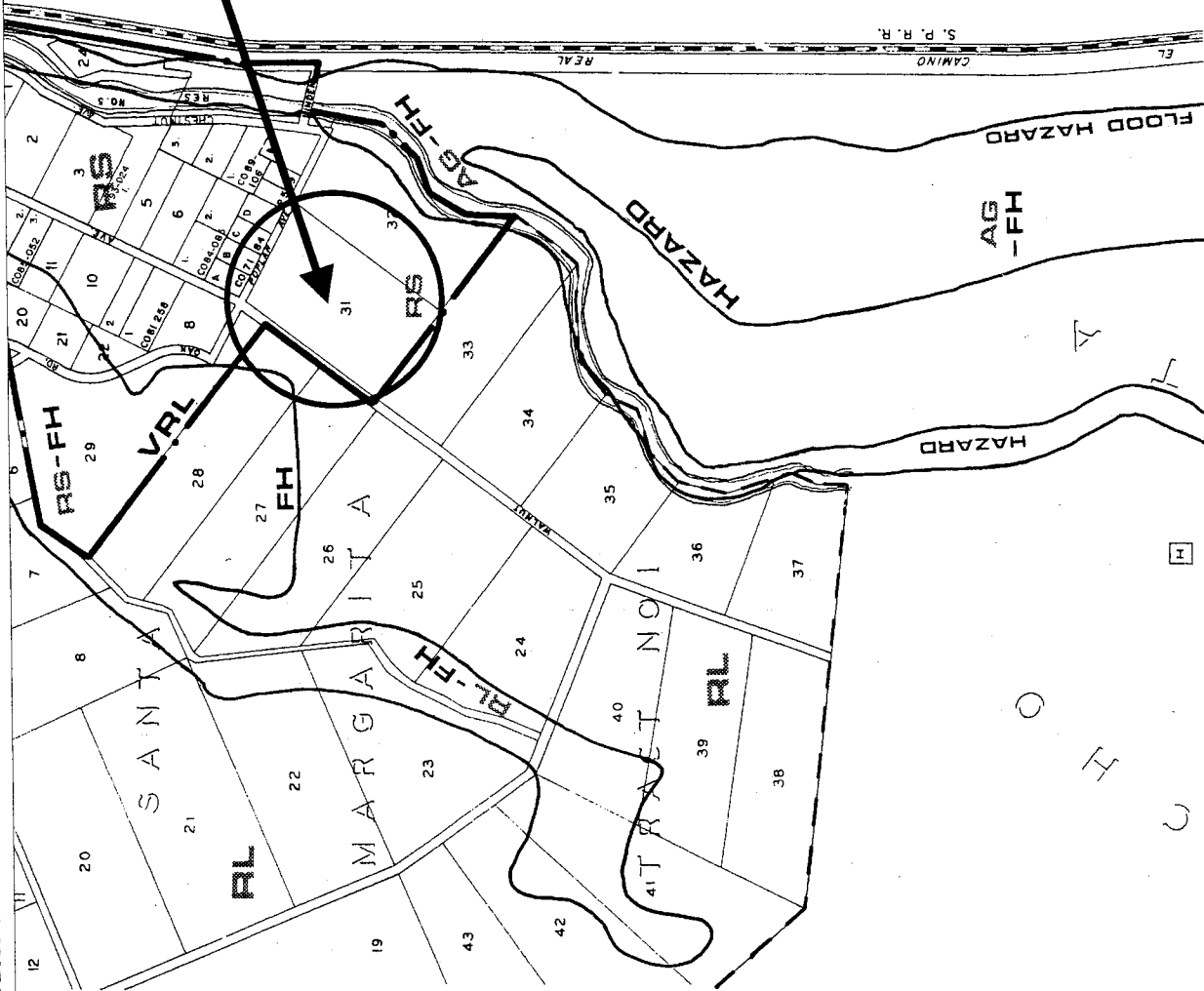
Land Use Category



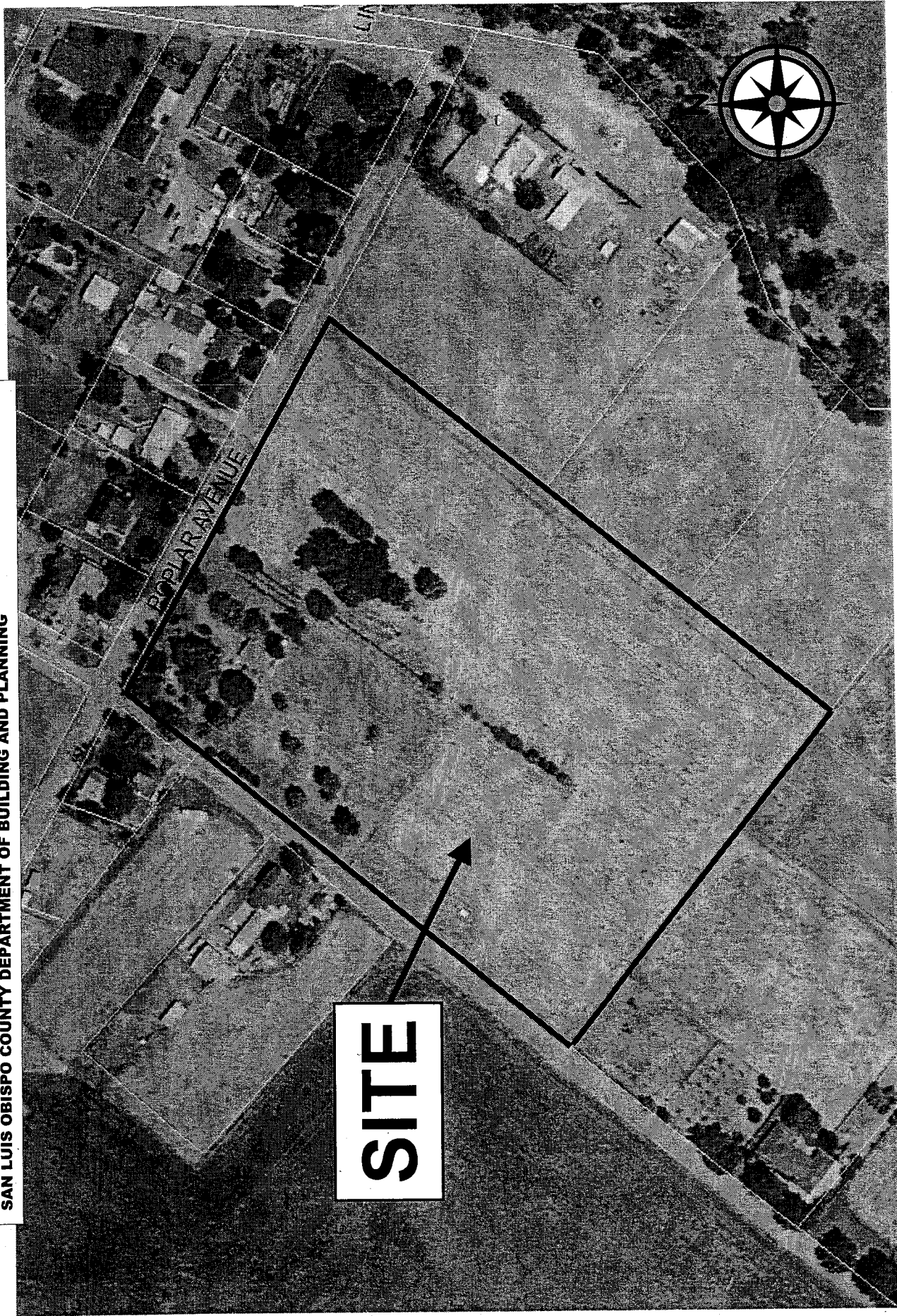
**PROJECT**

Parcel Map CO020188  
Eggen S010396P

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



9-35



**SITE**

**EXHIBIT**

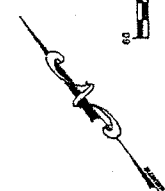
Aerial Photo




**PROJECT**

Parcel Map CO020188  
Eggen S010396P

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GRAPHIC SCALE



**EXHIBIT**

## Site Plan

**PROJECT**  
Parcel Map CO020188  
Eggen S010396P

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**Parks Conditions**  
**EGGEN (C0-02-0188, S010396P)**

The following language would appear under the **Access and Improvements** heading, rather than under *Improvement Plans*.

The applicant shall offer for dedication to the public by certificate on the final map or by separate document:

- a. A minimum 10 foot wide public access trail easement located along the Poplar Avenue street frontage. The location and design of the proposed trail easement shall be reviewed and approved by County Parks prior to recordation of the Final Map or approval of improvement plans (whichever occurs first). The trail easement may be located within the road right-of-way if approved by the Department of Public Works, based on the need for future roadway improvements. The trail easement shall be located (1) to minimize removal or disturbance of existing vegetation at the time of future trail construction by the County, (2) on relatively flat land, (3) outside of potential safety or high maintenance areas, and (4) to connect to the contiguous property located generally southeast.

**The following condition is under Parks and Recreation (Quimby) Fees:**

- ☐ Unless exempted by Chapter 21.09 of the County Real Property Division Ordinance or California Government Code Section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

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**GENERAL PERMIT APPLICATION**

San Luis Obispo County Department of Planning and Building

File Nos.

S 010396 P

**APPLICATION TYPE** *Check all that apply*

- |   |  |  |  |   |
|---|--|--|--|---|
| <input type="checkbox"/> Construction Permit    | <input type="checkbox"/> Site Plan                       | <input type="checkbox"/> Public Lot                | <input type="checkbox"/> Sending Site                    | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Emergency Permit       | <input type="checkbox"/> Minor Use Permit                | <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Receiving Site                  | <input type="checkbox"/> Amendment w/Update     |
| <input type="checkbox"/> Zoning Clearance       | <input type="checkbox"/> Development Plan                | <input type="checkbox"/> Lot Line Adjustment       | <input type="checkbox"/> Preliminary Determination       | <input type="checkbox"/> Specific Plan          |
| <input type="checkbox"/> Road Naming/Addressing | <input type="checkbox"/> Variance                        | <input checked="" type="checkbox"/> Parcel Map     | <input type="checkbox"/> Condominium (new or conversion) | <input type="checkbox"/> Ordinance Amendment    |
| <input type="checkbox"/> Tree Removal           | <input type="checkbox"/> Surface Mining/Reclamation Plan | <input type="checkbox"/> Tract Map                 | <input type="checkbox"/> Road Abandonment                | <input type="checkbox"/> Ag Preserve            |
| <input type="checkbox"/> Plot Plan              | <input type="checkbox"/> Voluntary Merger                | <input type="checkbox"/> Reversion to Acreage      | <input type="checkbox"/> Curb, Gutter & Sidewalk Waiver  | <input type="checkbox"/> Other                  |

**APPLICANT INFORMATION***Check contact person*

☐ Landowner Name Norman Eggen Daytime Phone: 541-2968  
 Mailing Address 1800 Calle Joaquin San Luis Obispo, CA Zip: 93401  
☐ Applicant Name Same as above Daytime Phone: \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Zip: \_\_\_\_\_  
☒ Agent Westland Engineering, Inc. Daytime Phone: 541-2394  
 Mailing Address 75 Zaca Lane, #100 San Luis Obispo, CA Zip: 93401

**PROPERTY INFORMATION**

Assessor Parcel Number(s): 070-121-006 Total Size of Site: 10+ acres  
 Legal Description: Lot/Block Lot 31 Tract/Parcel Map No. Santa Marg. Section/ Township/Range Tract No. 1  
 Site Location (provide the project address - if no street address, describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.): Garden Farms - Corner of Poplar Avenue and Walnut Avenue  
 Describe current uses, existing structures, and other improvements and vegetation on the property: Existing residence, garage, fruit trees and berry patches  
 Briefly describe project: Subdivide property into four (4) parcels.

**LEGAL DECLARATION**

I, the owner of record of this property, consent to the named agent/applicant to act in my behalf in all contacts with the county in connection with this matter. I have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Refer to Consent of Landowner Date 6-25-02  
Form

<b>OFFICE USE ONLY</b>			
Date Received	By	Receipt No.	Use Group
Planning Area	Community Code		<input type="checkbox"/> "A" Use <input type="checkbox"/> "S" Use
Land Use Category	Combining Designation		
Coastal Zone: <input type="checkbox"/> In <input type="checkbox"/> Out	Enforcement Case: <input type="checkbox"/> Yes <input type="checkbox"/> No	File #	Comments

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SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

MAY 16 PM 1:59

Revised Referral Packet

VICTOR HOLANDA, AICP  
DIRECTOR

BRYCE TINGLE, AICP  
ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH  
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: Sept. 1, 2002 May 16, 2005

TO: Parks Co 02-0188

FROM: No. County Team 3010396P/Eggen

Nick Forester

Development Review Section (Phone 781- 1163)

PROJECT DESCRIPTION: Subdivide property into  
4 parcels.

Return this letter with your comments attached no later than:

Sept. 18, 2002

May 31,  
2005

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.  
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

see attached

06/06/05  
Date

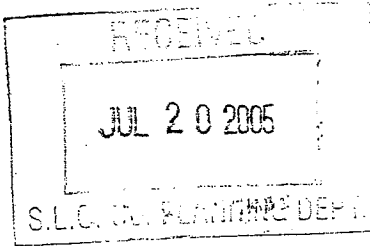
JAN Dileo  
Name

4089  
Phone

9-40

# Garden Farms Community Water District

**17005 Walnut Avenue**  
Atascadero, CA 93422  
(805) 438-3751



**Board of Directors**

John Pinson, Chairperson  
William Miller  
Charron Sparks  
Mark Stoudenmire  
Janice Maxwell

July 15, 2005

Re: Revised Referral Packet for Land Subdivision by Norm Eggen (S010396P),  
Part II and III

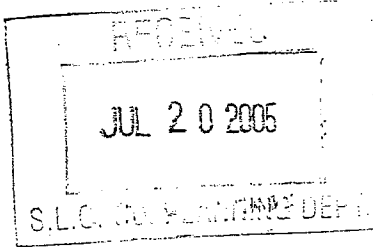
The Garden Farms Community Water District continues to be concerned with water availability and quality for the customers of the District. District Well #1 is within close proximity to the Eggen property and the District is concerned with the affect the proposed Eggen shared well may have on the District's primary well (Well #1) both in terms of water availability and potential contamination due to septic tanks located in high ground water areas common within the District.



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# Garden Farms Community Water District

**17005 Walnut Avenue**  
Atascadero, CA 93422  
(805) 438-3751



**Board of Directors**

John Pinson, Chairperson  
William Miller  
Charron Sparks  
Mark Stoudenmire  
Janice Maxwell

July 15, 2005

Re: Revised Referral Packet for Land Subdivision by Norm Eggen (S010396P),  
Part II and III

The Garden Farms Community Water District continues to be concerned with water availability and quality for the customers of the District. District Well #1 is within close proximity to the Eggen property and the District is concerned with the affect the proposed Eggen shared well may have on the District's primary well (Well #1) both in terms of water availability and potential contamination due to septic tanks located in high ground water areas common within the District.

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# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

## Revised Referral Packet

VICTOR HOLANDA, AICP  
DIRECTOR

BRYCE TINGLE, AICP  
ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH  
CHIEF BUILDING OFFICIAL

### THIS IS A NEW PROJECT REFERRAL

DATE: Sept. 1, 2002 May 16, 2005  
TO: SUVFD Co 02-0188  
FROM: No. County Team 3010396P/Egger  
Nick Forester  
Development Review Section (Phone 781- 1163)

PROJECT DESCRIPTION: Subdivide property into  
4 parcels.

Return this letter with your comments attached no later than:

Sept. 18, 2002

May 31,  
2005

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.  
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

no comment

6/6/05  
Date

Ralph Lewis  
Name

Phone

9-43



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

## Revised Referral Packet

VICTOR HOLANDA, AICP  
DIRECTOR

BRYCE TINGLE, AICP  
ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH  
CHIEF BUILDING OFFICIAL

### THIS IS A NEW PROJECT REFERRAL

DATE: Sept. 4, 2002 May 16, 2005

TO: SUVFD Co 02-0188

FROM: No. County Team 3010396P/Eggen  
Project Name and Number

Nick Forester  
Development Review Section (Phone 781- 1163)

PROJECT DESCRIPTION: Subdivide property into  
4 parcels.

Return this letter with your comments attached no later than:

Sept. 18, 2002

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

May 31,  
2005

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.  
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

no comment

6/6/05

Date

Ralph Lewis

Name

Phone

9-44

Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using ***community water and sewer / community water and septic tanks / individual wells and septic tanks***, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.



A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.



Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.



Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.



All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

## Covenants, Conditions and Restrictions

9-45

- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

### *CHOOSE APPLICABLE PROVISIONS*

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. \_\_\_\_\_

### Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide \_\_\_\_\_ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the \_\_\_\_\_ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated \_\_\_\_\_ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
  - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Easements

9-47

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

## Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
  - a. Drainage basin fencing. ***(ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN)***
  - b. Drainage basin perimeter landscape screening. ***(ONLY USE FOR FENCED BASINS)***
  - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within \_\_\_\_\_ days of completion of the improvements.

## Mitigations ***PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP***

- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

## Additional Map Sheet

- ☒ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

### ***CHOOSE APPLICABLE PROVISIONS***

- a. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** \_\_\_\_\_.

9-48

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

#### Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

#### Fire Protection

- ☐ Provide minimum fire flow of \_\_\_\_\_ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

#### Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

#### Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.



9-49

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to \_\_\_\_\_ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**\_\_\_\_\_.

### Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

### Utilities

- ☒ Electric and telephone lines shall be installed ~~underground~~ *overhead* (Project within Village Reserve Line)
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A \_\_\_\_\_ feet public utility easement on private property along \_\_\_\_\_, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

### Design

- ☐ The lots shall be numbered in sequence.
- ☐ The \_\_\_\_\_ on lot \_\_\_\_\_ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of \_\_\_\_\_ shall contain a minimum area of \_\_\_\_\_ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

## Drainage

9-50

- ☐ \_\_\_\_\_ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. granted to the public in fee free of any encumbrance.
  - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
  - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within \_\_\_\_\_ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to \_\_\_\_\_ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. *Provide WQID # to County*

## Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) \_\_\_\_\_, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association**. Impervious paving over a disposal area is not considered acceptable.

9-51

- ☐ The intersection of \_\_\_\_\_ and \_\_\_\_\_ be designed in accordance with California Highway Design Manual.
- ☐ Access be denied to lots \_\_\_\_\_ from \_\_\_\_\_ and that this be by certificate and designation on the map.
- ☐ The future alignment of \_\_\_\_\_ shall be shown on the map as reserved for future public right-of-way.
- ☐ A private easement be reserved on the map for access to lots \_\_\_\_\_.
- ☐ A practical plan and profile for access to lots \_\_\_\_\_ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

### Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:

- a. Street plan and profile.
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Water plan (County Health).
- d. Sewer plan (County Health).
- e. Grading and erosion control plan for subdivision related improvement locations.
- f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
- g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
- h. Trail plan, to be approved jointly with the Park Division.

- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

## EXHIBIT B

9-52

CONDITIONS OF APPROVAL FOR CO 02-0188, EGGEN/WESTLAND  
 REVISED 01 JUNE 2005

Approved Project

This approval authorizes the division of a \_\_\_\_\_ acre parcel into \_\_\_\_\_ parcels of  
 \_\_\_\_\_ acres / square feet each.

Access and Improvements

Roads and/or streets to be constructed to the following standards:

a. \_\_\_\_\_ constructed to a \_\_\_\_\_  
 section within a \_\_\_\_\_ foot dedicated right-of-way.

b. WALNUT & POPLAR AVES widened to complete a A-1  
 section fronting the property.

c. \_\_\_\_\_ constructed to a \_\_\_\_\_  
 section from the property to \_\_\_\_\_  
 (minimum paved width to be \_\_\_\_\_ feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_  
 to be described as \_\_\_\_\_ feet from the recorded centerline.

b. For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_  
 to be described as \_\_\_\_\_.

c. For road widening purposes 5 feet along WALNUT & POPLAR AVES  
 to be described as 25 feet from the recorded centerline.

d. The \_\_\_\_\_ foot road easement as shown on the tentative parcel map  
 with a \_\_\_\_\_ foot radius property line return at the intersection of \_\_\_\_\_.

e. A 20 foot radius property line return at the intersection  
 of POPLAR & WALNUT AVES.

f. The \_\_\_\_\_ foot road easement terminating in a county cul-de-sac as  
 shown on the tentative map.

9-53

**GENERAL PERMIT APPLICATION**

San Luis Obispo County Department of Planning and Building

File Nos.

S 010396 P

**APPLICATION TYPE** Check all that apply

- |   |  |  |  |   |
|---|--|--|--|---|
| <input type="checkbox"/> Construction Permit    | <input type="checkbox"/> Site Plan                       | <input type="checkbox"/> Public Lot                | <input type="checkbox"/> Sending Site                    | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Emergency Permit       | <input type="checkbox"/> Minor Use Permit                | <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Receiving Site                  | <input type="checkbox"/> Amendment w/Update     |
| <input type="checkbox"/> Zoning Clearance       | <input type="checkbox"/> Development Plan                | <input type="checkbox"/> Lot Line Adjustment       | <input type="checkbox"/> Preliminary Determination       | <input type="checkbox"/> Specific Plan          |
| <input type="checkbox"/> Road Naming/Addressing | <input type="checkbox"/> Variance                        | <input checked="" type="checkbox"/> Parcel Map     | <input type="checkbox"/> Condominium (new or conversion) | <input type="checkbox"/> Ordinance Amendment    |
| <input type="checkbox"/> Tree Removal           | <input type="checkbox"/> Surface Mining/Reclamation Plan | <input type="checkbox"/> Tract Map                 | <input type="checkbox"/> Road Abandonment                | <input type="checkbox"/> Ag Preserve            |
| <input type="checkbox"/> Plot Plan              | <input type="checkbox"/> Voluntary Merger                | <input type="checkbox"/> Reversion to Acreage      | <input type="checkbox"/> Curb, Gutter & Sidewalk Waiver  | <input type="checkbox"/> Other                  |

**APPLICANT INFORMATION**

Check contact person

☐ Landowner Name Norman Eggen Daytime Phone: 541-2968  
 Mailing Address 1800 Calle Joaquin San Luis Obispo, CA Zip: 93401  
☐ Applicant Name Same as above Daytime Phone: \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Zip: \_\_\_\_\_  
☒ Agent Westland Engineering, Inc. Daytime Phone: 541-2394  
 Mailing Address 75 Zaca Lane, #100 San Luis Obispo, CA Zip: 93401

**PROPERTY INFORMATION**

Assessor Parcel Number(s): 070-121-006 Total Size of Site: 10+ acres  
 Legal Description: Lot/Block Lot 31 Tract/Parcel Map No. Santa Marg. Section/ Township/Range Tract No. 1  
 Site Location (provide the project address - if no street address, describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.): Garden Farms - Corner of Poplar Avenue and Walnut Avenue  
 Describe current uses, existing structures, and other improvements and vegetation on the property: Existing residence, garage, fruit trees and berry patches  
 Briefly describe project: Subdivide property into four (4) parcels.

**LEGAL DECLARATION**

I, the owner of record of this property, consent to the named agent/applicant to act in my behalf in all contacts with the county in connection with this matter. I have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Refer to Consent of Landowner Date 6-25-02  
Form

<b>OFFICE USE ONLY</b>			
Date Received: <u>6/26/02</u>	By: <u>[Signature]</u>	Receipt No. _____	Use Group? _____
Planning Area: <u>SBI</u>	Community Code: <u>BARO</u>	<input type="checkbox"/> "A" Use <input type="checkbox"/> "S" Use	
Land Use Category: <u>RS</u>	Combining Designation: _____	Comments: _____	
Coastal Zones: <input type="checkbox"/> In <input type="checkbox"/> Out	Enforcement Case: <input type="checkbox"/> Yes <input type="checkbox"/> No	File # _____	

9-54

6



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

Revised Referral Packet

VICTOR HOLANDA, AICP  
DIRECTOR

BRYCE TINGLE, AICP  
ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH  
CHIEF BUILDING OFFICIAL

THIS IS A NEW PROJECT REFERRAL

DATE: Sept. 1, 2002 May 16, 2005

FROM PW CO 02-0188

FROM No. County Team 3010396P/Egger  
Vanick Forester  
Development Review Section (Phone 781- 1163)

PROJECT DESCRIPTION: Subdivide property into  
4 parcels.

Return this letter with your comments attached no later than: Sept. 18, 2002 May 31, 2005

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.  
IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

RECOMMEND APPROVAL - REVISED STAFF CONDITIONS ATTACHED. How long  
to we hold these before they need a new number and start over?  
Do we need an updated title report?

01 JUNE 2005  
Date

GOODWIN  
Name

5252  
Phone



NF

9-55

# SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

Revised Referral Packet

VICTOR HOLANDA, AICP  
DIRECTOR

BRYCE TINGLE, AICP  
ASSISTANT DIRECTOR

ELLEN CARROLL  
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH  
CHIEF BUILDING OFFICIAL

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DATE: Sept. 1, 2002 May 16, 2005

TO: APCD CO 02-0188

FROM: No. County Team 3010396P/Eggen  
Nick Forester  
 Development Review Section (Phone 781- 1163)

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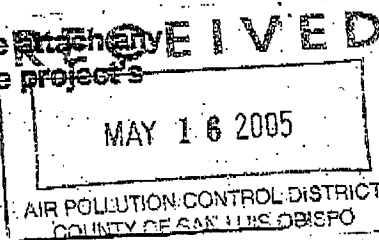
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**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.  
 IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL

No comment w/in VRL



24 May 05  
Date

Aaron Arlin Genet  
Name

5998  
Phone

9-56

County of San Luis Obispo • Public Health Department



Westland Engineering, Inc.  
75 Zaca Lane, Suite 100  
San Luis Obispo, CA 93401

Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

January 13, 2005

Curtis A. Batson, R.E.H.S.  
Director

ATTN: TERRENCE ORTON  
RE: TENTATIVE PARCEL MAP CO 02-0188 (EGGEN)

This letter will replace the tentative approval letter issued previously on August 6, 2002.

Water Supply

This office is in receipt of satisfactory preliminary evidence of onsite water (well completion report # 05167) for the above referenced subdivision map. Prior to recordation of this map additional information will have to be provided to Environmental Health Services to certify that an adequate and potable water supply exists for each parcel. A four-hour pump test with draw down and recovery times will be needed for each well proposed to serve an individual parcel. If a well is proposed to be a shared well, then a minimum of a twelve-hour pump test will be required and a shared well legal agreement. A water analysis for primary and secondary drinking water standards will also be required for each well.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. Comprehensive soil testing will be required on each lot. Be advised that the sewage disposal systems will be installed a minimum of one hundred feet from private domestic water wells and two hundred feet from a public water well. It is our understanding that a public water well exists at the corner of Walnut and Poplar.

CO 02-0188 is approved for Health Department subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
Garden Farms Community Water District



9-57



## CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

April 19, 2006

North County Team  
County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Parcel Map Project # CO 02-0188 / S010396P Eggen

Dear North County Team,

I have reviewed the referral for the parcel map plans for the proposed four parcel subdivision project located at the corner of Poplar Avenue and Walnut Avenue. This project is located approximately 10 to 15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

### Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

9-58

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

**Driveway**

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

**Water Supply**

The following applies:

- ☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.
- ☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

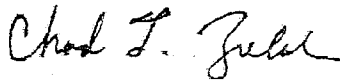
**Fuel Modification**

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

CDF/County Fire Department does not favor combined water systems (private wells and community water systems), however, the project may be supported if the proposed new parcels on wells are not within the water district boundaries.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,



Chad T. Zrelak

cc: Eggen